P. R. No. 2395/06
Presented by Shri R.K. Koshwani
dated 3/5/06

-1-

(4)

IN THE HIGH COURT OF CHHATTISGARH, AT - BILASPUR

W. P. No. 2351 OF 2006

PETITIONER : G. S. MAKKAD
AGED – 43 YEARS,
SON OF LATE R. S. MAKKAD
POSTED AS – UPPER DIVISION TEACHER,
AT – S. S.KALIBADI HR. SEC. SCHOOL, KALIBADI,
RAIPUR, DISTRICT – RAIPUR (C. G.)
R/O H. NO. 14/169, NAHAR PARA, RAIPUR
DISTRICT – RAIPUR (C. G.)

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3/5/06
CLERK to S. G. BILASPUR

VERSUS

RESPONDENTS :

1. STATE OF CHHATTISGARH
THROUGH – THE SECRETARY,
SCHOOL EDUCATION DEPARTMENT,
MANTRALAYA D. K. S. BHAWAN, RAIPUR

2. THE DIRECTOR,
PUBLIC INSTRUCTIONS, CHHATTISGARH,
HEAD QUARTER AT – RAIPUR

3. THE GOVERNING BODY OF KALIBADI SHIKSA SAMITI.
THROUGH – ITS SCHOOL SECRETARY,
S. S. KALI BADI HR. SEC. SCHOOL, KALIBADI,
RAIPUR (C. G.)

WRIT PETITION U/A - 226 & 227 of Constitution of India

1 PARTICULARS OF THE PETITIONER

HIGH COURT OF CHHATTISGARH AT BILASPUR
W.P. No. 2351 of 2006

(21)

Petitioner G. S. Makkad

Versus

Respondents State of Chhattisgarh & others

SB: Hon'ble Mr. Justice **Satish K. Agnihotri, J**

Shri R. K. Kesharwani, Advocate for the petitioner.

Shri Sushil Dubey, Govt. Advocate for the respondents No. 1 & 2.

Shri Ashok Soni, Advocate for the respondent no.3.

ORDER

(Passed on this 21st day of February, 2007)

1. Learned counsel appearing for the petitioner submits that the petitioner was appointed on the post of Upper Division Teacher (UDT) vide order dated 14.7.1986 in the respondent No.3 school. The school is a non-governmental aided educational institution and affiliated with the Chhattisgarh Board of Secondary Education. The services of the petitioner as well as other staff of the school are governed by the Chhattisgarh Ashaskiya Sikshan Sanstha (Adhyapakon Tatha Anya Karmchariyon Ke Vetano Ka Sandaya) Adhiniyam, 1978. Though the school is a private institution but it is getting 100% grants-in-aid from the government.
2. Learned counsel for the petitioner submits that the issue involved in this petition is, asto whether the teachers working in private schools, receiving full grants in aid, are entitled to revision of pay scale as per the recommendation of the Fifth Pay Commission or not. This issue was decided by this Court in W.P.No. 4108/2005 (Smt. A. Lall Vs. State of Chhattisgarh & others) and other connected matters vide order dated 6th February, 2007 and the case of the petitioner is squarely covered by this decision.
3. Learned counsel appearing for the respondents/State concedes and does not dispute the submission made by learned counsel for the petitioner.
4. In view of the foregoing, this petition is allowed in terms of the order dated passed in W.P.No. 4108/2005 (supra). No order as to costs.

Sd/-
Satish K. Agnihotri
Judge